## UNITED STATES DISTRICT COURT DISTRICT OF MASSACHUSETTS

IMPULSE IMPORTS d/b/a IMPORT IMAGES, et. al.	
Plaintiffs )	Civil Action No. 05-11691 RCL
v. )	
OLODAL DDINTE INC. 1/L/- CAMPUC)	
GLOBAL PRINTS, INC. d/b/a CAMPUS)	
SALES, et. al.	
,	
Defendants.	

## (ASSENTED TO) MOTION TO CONTINUE EX-PARTE SEIZURE ORDER AND PRELIMINARY INJUNCTION HEARING

Now come the Plaintiffs in the above-captioned matter, and with the assent of all Defendants, move this court to extend the Temporary Restraining Order and to continue the further hearing on the Ex-Parte Seizure Order and Preliminary Injunction presently scheduled for hearing on Monday October 31, 2005, because the Parties have agreed to continue to explore the potential settlement of all claims raised in the litigation. In further support, the Parties aver as follows:

- On August 16, 2005, the Court, upon the application of Plaintiffs, entered a
   Temporary Restraining Order and a Seizure Order in favor of the Plaintiffs.
- The Order for Seizure issued by the Court called for a further hearing under 15
   U.S.C. §1116 (d) (10) (A) on the Preliminary Injunction and Seizure Order for Monday August 29, 2005.
- On or about August 19, 2005, the Parties filed a motion to extend the time for hearing until September 19, 2005. This motion was allowed by the Court on Wednesday August 24, 2005.

4. On or about September 14, 2005, the Parties filed a motion to extend the time for hearing until October 24, 2005 or some other date convenient for the Court. The Court allowed the motion and extended the time for hearing until October 31, 2005 on September 14, 2005.

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- 5. The Parties now move this court to extend the time for hearing until Wednesday

  November 30, 2005, or some other date convenient for the Court so that the Parties

  will have additional time to explore, draft and agree upon all issues and terms of a

  proposed settlement.
- 6. Because of the large number of Parties involved (there are sixteen (16) Plaintiffs), some of which are located outside of the United States, it is taking more time than anticipated to exchange and consider settlement proposals. The Parties have engaged in continuous discussions and remain committed to reaching a negotiated resolution.
- 7. Counsel for Plaintiffs has spoken with Defendants' Counsel and all Parties have assented to this Motion and indicated that they wish to continue discussions in order to try and resolve the claims commenced in this action.
- 8. The Parties agree that the Temporary Restraining Order issued on August 16, 2005 shall remain in full force and effect until such time as the Court conducts a further hearing on this matter or another settlement is reached and that all materials seized by the Plaintiffs will continue to be held by Plaintiffs in accordance with the Seizure Order.
- 9. The requested continuance is not sought to hinder or delay this matter but rather will promote judicial economy and preserve judicial resources.

## **REQUEST FOR RELIEF**

WHEREFORE, for the foregoing reasons, the Parties respectfully request that the

Court grant their Assented to Motion and issue an Order regarding the same.

Respectfully submitted,

Impulse Imports d/b/a Import Images, et. al.,

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## **CERTIFICATE OF SERVICE**

I, Timothy J. Ervin, hereby certify that on this  $\frac{1}{2}$  day of October 2005, I have served a true copy of the foregoing documents on all counsel of record by causing a copy of the same to be delivered either by email, facsimile or overnight mail, to:

David M. Ianelli, Esq. Bowditch & Dewey 311 Main Street Worcester, MA 01615

Timothy L Ervin